IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGEMENT NO. 453 OF 2003

IN

SUMMARY SUIT NO. 1652 OF 2002

Pidilite Industries Ltd. .. Plaintiff

versus

Uniforce Cheme Pvt.Ltd. .. Defendant

...

Mr.Ashish Kamath i/b M.K. Ambalal for the plaintiff.

None for the defendant.

CORAM : D.G. KARNIK,J.

DATED : 4th April 2005.

P.C.:

1. Heard the learned counsel for the plaintiff. None present for the defendant though served.

2. The learned counsel for the plaintiff filed on record compilation of documents. The documents are taken on record and colly. marked "A". I have perused the plaint and the documents filed on record.

The plaintiff sold, supplied and delivered to the defendant goods and sent Invoices. Office copies of the invoices as also office copies of the letter of demand are filed on record. By the letter dated 16th December 1999, the defendant promised to make the payment within six months but failed and neglected to do so. Hence, the plaintiff has filed this suit.

3. In the absence of any affidavit in reply, the averments in the plaint are deemed to be accepted. The plaintiff is entitled to a decree under Order 37 Rule 3(6) of the Code of Civil Procedure.

4. Summons for Judgement is made absolute and the suit of the plaintiff is decreed in terms of prayer clause (a) with the only modification that interest from the date of the suit till payment will be charged at 6% p.a. on the principal amount.

D.G. KARNIK, J